

MATTHEW R. GOLDMAN (MG-0719)  
 BAKER & HOSTETLER LLP  
 3200 National City Center  
 1900 E. 9th Street  
 Cleveland, Ohio 44114  
 Telephone: (216) 621-0200  
 Facsimile: (216) 696-0740

**UNITED STATES DISTRICT COURT  
 FOR THE SOUTHERN DISTRICT OF NEW YORK**

_____	:	
AXIS REINSURANCE COMPANY,	:	
	:	
Plaintiff,	:	
vs.	:	Case No. 1:07-cv-9420-GEL
	:	
LEO R. BREITMAN, <i>et al.</i> ,	:	
	:	
Defendants.	:	
_____	:	
In re:	:	Chapter 11
	:	
REFCO, INC., et al.,	:	Case No. 05-60006 (RDD)
	:	
Debtors.	:	
_____	:	(Jointly Administered)

**APPLICATION FOR WITHDRAWAL**

Please take notice that Baker & Hostetler, LLP, and attorney Matthew R. Goldman,, pursuant to Local Civil Rule 1.4, hereby seek to withdraw of record as counsel for Dennis Klejna and Joseph Murphy in Case No. 1:07-cv-9420-GEL, and request to be removed from the service lists maintained in connection with Case No. 1:07-cv-9420-GEL. Matthew R. Goldman additionally requests to be removed of record as lead attorney on behalf of Mr. Klejna and Mr. Murphy in Case No. 1:07-cv-9420-GEL. The reasons for the Application are more specifically set out in the Declaration of Matthew R. Goldman in Support of Application for Withdrawal of Counsel and Substitution of New Lead Attorney being filed concurrently. A proposed order is attached.

Dated: April 14, 2008

Respectfully submitted,

/s/ Matthew R. Goldman  
 MATTHEW R. GOLDMAN (MG-0719)  
 BAKER & HOSTETLER LLP  
 3200 National City Center  
 1900 E. 9th Street  
 Cleveland, Ohio 44114  
 Telephone: (216) 621-0200  
 Facsimile: (216) 696-0740

## **Proposed Order**

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

_____	:	
AXIS REINSURANCE COMPANY,	:	
	:	
Plaintiff,	:	
vs.	:	Case No. 1:07-cv-9420-GEL
	:	
LEO R. BREITMAN, <i>et al.</i> ,	:	
	:	
Defendants.	:	
_____	:	
In re:	:	Chapter 11
	:	
REFCO, INC., et al.,	:	Case No. 05-60006 (RDD)
Debtors.	:	
_____	:	(Jointly Administered)

For good cause shown, it is hereby ORDERED,

That Baker & Hostetler LLP and Matthew R. Goldman are hereby withdrawn as counsel for Dennis Klejna and Joseph Murphy on the record of the above-captioned District Court proceeding, and that the following shall be substituted as lead attorneys in the proceeding: Helen B. Kim as lead attorney for Dennis Klejna, and John J. Jerome as lead attorney for Joseph Murphy.

Date: \_\_\_\_\_

\_\_\_\_\_  
United States District Judge

Consented to by:

/s/ Matthew R. Goldman

Matthew R. Goldman  
Baker & Hostetler LLP  
3200 National City Center  
1900 East 9<sup>th</sup> Street  
Cleveland, OH 44114-3485  
Ph: 216.621.0200  
Fax: 216.696.0740

Withdrawing Counsel

/s/ Helen B. Kim  
Helen B. Kim  
Katten Muchin Roseman LLP  
2029 Century Park East, Suite 2600  
Los Angeles, CA 90067-3012  
Ph: 310.788.4400  
Fax: 310.788.4471

Counsel for Dennis Klejna

/s/ John J. Jerome  
John J. Jerome  
Saul Ewing LLP  
1500 Market Street, 38<sup>th</sup> Floor  
Philadelphia, PA 19102-2186  
Ph: 212.672.1996  
Fax: 212.672.1920

Counsel for Joseph Murphy

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Application for Withdrawal was served upon each of the following by U.S. first-class mail, postage prepaid:

Helen Kim, Esq.  
Katten Muchin Roseman LLP  
2029 Century Park East  
Suite 2600  
Los Angeles, California 90067-3012

John J. Jerome, Esq.  
Saul Ewing LLP  
1500 Market Street  
38<sup>th</sup> Floor  
Philadelphia, PA 19102-2186

and on all other counsel of record by the court's electronic filing system, all this 14th day of April 2008.

/s/ Matthew R. Goldman  
Matthew R. Goldman